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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

GUARDIAN MEDIA TECHNOLOGIES,
LTD,

Plaintiff,

v.

COBY ELECTRONICS
CORPORATION; NINTENDO OF
AMERICA, INC.; OVERSTOCK.COM;
DELL, INC.; LITE-ON AMERICAS;
LITE-ON SALES & DISTRIBUTION,
INC.; SHERWOOD AMERICA, INC.,

Defendants.

AND RELATED CROSS ACTIONS.

Case No. 2:08-cv-8439 R (RCx)

**STIPULATION OF DISMISSAL
CONCERNING DEFENDANT
OVERSTOCK.COM, WITHOUT
PREJUDICE, PURSUANT TO RULE 41(A)(2)
OF THE FEDERAL RULES OF CIVIL
PROCEDURE**

Courtroom: 8
Judge: Manuel L. Real
Magistrate Judge: Rosalyn M. Chapman
Complaint Filed: December 22, 2008
Trial Date: None set

IT IS HEREBY STIPULATED by and between Plaintiff GUARDIAN MEDIA TECHNOLOGIES, LTD., on the one hand, and Defendant and Counterclaimant OVERSTOCK.COM, INC., on the other hand, by and through their respective counsel of record, that Guardian's claims against Overstock.com, and Overstock.com's counterclaims against Guardian, should be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(2). The parties respectfully request that the Court enter an order to this effect in the form of the [Proposed] Order that is being submitted herewith.

IT IS SO STIPULATED.

DATED: July 21, 2009

By: /s/ Gregor A. Hensrude

John D. Klinedinst
Gregor A. Hensrude
Samuel B. Strohhahn
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DATED: July 21, 2009

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